
Title of Article:

The Basic Ombuds Model

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Special Thanks to Don Hartsock for the guiding wisdom of:

To Cal Caucus

30 years

*Serving our culture with the virus of common sense by LISTENING and PETITIONING
for redress of grievances with unspeakable gratitude for those who precede you.*

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I. INTRODUCTION

The Basic Ombuds Model theory breaks the complexity of ombudsing systems/schemes

down into four fundamental components: the complaint handler, the complainant and its associated “respondent”, a moral/spiritual tenet, and an entity. The first four components are identified as elements that can be held *ceteris paribus*¹, and the fourth element is identified as the variant one uses as a foundation for studying the different forms of ombudsing systems/schemes. *The Basic Ombuds Model* can be likened to the bare bones of an ombudsing system/scheme. The Set of Basic Ombudsing Principles/Considerations (theory presented in the *Nuts & Bolts of Ombuds Theory*) comprises the elements that put the life and vitality into the model.

It is the author’s view that these new tools will enable ombuds to work toward playing serious “catch-up” with ombudsmania. In addition, cultivation of a common theoretical language readily understood, accepted, and taught by ombuds scholars, ombuds practitioner/scholars, and ombuds practitioners, holds the potential to enhance ombuds practices, and to improve communication amongst ombuds, thereby contributing to the betterment of humanity by refining the peacemaking process of ombudsing.

II. THE BASIC OMBUDS MODEL

II. A. The Classical Yardstick

In the Spring of 2002, while conducting research pertaining to the ongoing evolution of ombuds categorization, I came across a conference article written by Larry Hill entitled *American Ombudsmen and Others; or, American Ombudsmen and Wannabe’ Ombudsmen* (Hill 1997). The work was created for Hill’s 1997 address delivered at the Spring Meeting of the American Bar Association Section of Administrative Law and Regulatory Practice. Hill is a renowned and respected professor of Political Science

¹ The term *ceteris paribus* signifies “With all other factors or things remaining the same” (Dictionary.com, 2003). The term is utilized here to indicate that the Basic Ombuds Model has expressed existing ombuds theory in a new way that enables scholars to “hold constant” certain components while measuring/quantifying/qualifying how ombuds systems/schemes vary when considering the one fundamental component that differs between schemes. The subset of considerations to evaluate when studying the “garden variety” ombuds system/schemes is defined as The Set of Basic Ombudsing Principles/Considerations. The Set is defined in greater detail in “The Nuts & Bolts of Ombuds Theory” (Kelly, 2003).

that has made a significant contribution to the field of ombudsing as a pioneering ombuds scholar. Ombudsing systems/schemes studied by Hill include: the state of Hawaii (1981); local and national ombuds in Great Britain (1981); urban ombuds in the U.S. (1977); and Sweden, Finland, Denmark, Norway, Great Britain (1971). Hill has published over 25 books and articles pertaining to ombudsing systems/schemes, and has presented some 15 convention papers (Hill, 2003).

In Hill's 1997 convention paper aforementioned, Hill draws from his extensive experience to suggest that unless an ombuds scheme/system possesses specific functional/structural characteristics the scheme/system is not a "real" ombudsing system/scheme and falls into the category of a "wannabe" ombuds. Hill uses "wannabe" synonymous with "quasi", quasi meaning, "in a manner sense or degree; having some resemblance to" (Dictionary.com 2003). The use of "real" ombuds has also been equated with "genuine" meaning "actually possessing the alleged or apparent attribute or character".

The structural characteristics Hill cites can be summarized as: being a functional autonomous separate entity, operational independence of the legislature and the executive, legally established government official, monitoring specialist, administrative experts and professionals, non-partisan, normatively universalistic, client-centered but not anti-administration, popularly accessible and visible, high status institution, have resources extensive enough to perform their mission (Hill 1997).

The functional characteristics Hill defines include the following:

“The institution’s mission is to generate complaints against government administration, to use its extensive powers of investigation in performing a post-decision administrative audit, to form judgments which criticize or vindicate administrators, and to report publicly its findings and recommendations but not to change administrative decisions” (Hill 1977).

Examples of such systems/schemes include the Swedish Ombudsman, the similar Danish system/scheme, and the New Zealand system/scheme. Such ombudsing systems/schemes are more formerly categorized as “classical” ombuds. “Classical” ombuds are defined, as of July 2003 in the American Bar Association’s *Proposed Standards for The Establishment and Operation of Ombuds Offices* (the Standards are presently undergoing revision) as:

“A Classical Ombuds is a part of the legislative branch of government and addresses issues raised by the general public or internally, usually concerning the actions or policies of government entities, individuals or contractors with respect to holding agencies accountable to the public” (American Bar Association 2003)²

II.B A New Yardstick: The Arts & Economics³

² For an excellent description of classical ombudsmen please read Dean M. Gottehrer and Michael Hostina’s article “Essential Characteristics of a Classical Ombudsman” conveniently located online at the following web address: <<http://www.usombudsman.org/References/EssentialCharacteristicsClassicalOmbudsman.htm>> (8 Oct. 2003).

³ Process components, or “how” the idea was developed, are included in that the author perceives process as primary and production secondary. Often times “how” something developed is much more intriguing (to the author/reader) than the end product itself.

The section of this paper delves into process components inspired by a concept developed while working in an informal think-tank sponsored by Frank K. Kelly's developing "[Center for Humanity's Future](#)"⁴. The process is included in that this work is being hosted by a website with a motto of, art is our vehicle, and peace is the destination. For many artists process is seemingly primary and product secondary. That is to say, how one develops the end product is much more satiating/inspiring/rewarding than the art work that is eventually consumed by art patrons. This particular think tank meets weekly to discuss a gamut of issues in the spirit of an interdisciplinary approach which was in part inspired by Kelly's past work for the [Center for Democratic Institutions](#). From these discussions a thought surfaced that a fair-sized portion of the wisdom, knowledge, and understanding that exists today was developed as a consequence of a period of specialization whereby bodies of knowledge in different fields (math, sciences, physics, political science, economics, arts, etc.) were accumulated. The author suggested that perhaps we were approaching the edge of the envelope with regard to expanding humanity's knowledge base through sole use of these well defined fields. One possible way to push beyond the envelope of current understanding would be to search for the connections between disciplines and create new metaphors/languages to evaluate the impressions of unraveling mystery.

In approaching the process of gaining a deeper understanding of ombuds systems/schemes, the author's process was influenced by the author's background as a former educator of the principles of micro and macroeconomics, and years of artistry

⁴ Frank K. Kelly was a speech writer for President Harry Truman, worked for many years in a think tank led by Robert Maynard Hutchins called the "Center for the Study of Democratic Institutions" (Online Archive of California, 2003), and is the Vice President and co-founder of the Nuclear Age Peace Foundation (Nuclear Age Peace Foundation, 2003).

specializing in innovation. It is this understanding that set the stage for the personal impulse to fuse the creative processes of the arts/economics to bring forth a different understanding of ombuds systems/schemes. It is not to say that one is better than the other, just different, with great value placed on the beauty of diversification and viewing singular settings from many different vantage points.

While digesting Hill's perspective regarding 'real' and 'wannabe' ombuds, I was taken aback a bit to think that my service as a campus ombuds was being lumped into a 'disgenuine', or 'wannabe' category along with some 45 other different types of ombuds. And quite frankly, I imagine other ombuds who do not quite manage to squeeze into the classical girdle feel the same.

Nevertheless, it is very difficult to discount a view presented by a master craftsman in the field who has greatly contributed to building the foundation of existing ombuds theory. The author contends it quite important, as peacemakers, to pay tribute to the elders who have carved the way with machetes through new jungles to shed a little light on concepts seemingly completely brand new to humanity. So, thank you Larry Hill, for your contributions.

As the author continued to mull over Hill's notion, something did not seem complete about the analysis. The author had the impression of functions and forms being cast into the disgenuine heap because they could not be corseted into a very specific structure. The thought occurred to the author that the classical yardstick Hill uses to separate the "real" from the "wannabe" ombuds might not be the correct measuring stick for sizing up ombudsmen.

The author began to look at the material from a very different perspective than a political scientist. Again (some things bearing repetition) this is not to say that one is better than the other, or more appropriate, but rather, that if one presents a complex system for analysis to two individuals with very different skill sets, with one studying from outside the complex system, and one studying from outside as well as within, (scholar vs. scholar/practitioner) there is a very good chance that the analyses will be quite different. Working as an ombuds one learns to appreciate the value of considering many vantage points in the course of seeking a clearer understanding of a scenario's totality. It is my sense that there is room and need for evaluating ombudsing systems/schemes by individuals possessing varied skill sets in order to take full advantage of assessing the model from many different perspectives. In essence, it isn't a matter of one view being more appropriate than another, but simply different, flushing out new information which results in expanding the body of knowledge and understanding in relation to the field of ombudsing.

The economics training prompted the author to search for little pictures within big pictures, to identify elements associated with the little picture, as well as the big picture, and to identify when something is missing in the analytical mix. In addition, it is natural to identify not only the "what" but to seize an understanding of "why" and "how" through awareness cultivation (heightening one's awareness of the breadth and scope of a precept via diverse information gathering). Cultivating awareness fosters the ability to understanding how and why the individual components interrelate, crossover, and influences each other. While scrutinizing a complex system the author searches for the elements/components of the system that can be held *ceteris paribus*

while examining the effects of a varying component. After extensive training in many different artistic mediums, the creative process has grown to include sensing abstractions within one's 'mind's eye' that are interconnected to the multiple layers of consciousness indicative of the human condition abiding within an interconnected cosmos⁵.

The abstractions indicate that an impression within mystery is seeking to be unraveled. One steps beyond a respective edge to venture into uncharted, non/linear, domain and engages with new expression. One journey's backward into present time/chartered territory bringing with oneself the physical manifestation of the said expression. One learns to trust, let go, let the project take on a "mind of its own" as the paper takes the ink and/or the breath breathes the movement into being. As the vision formulates, the tools necessary to realize the vision surface and the work are brought into a physical manifestation.

While working with Hill's material an abstract sensation surfaced, indicating that some form was seeking to spring forth from mystery and make itself manifest. The abstraction evolved into snippets of images and sparks of new ideas part of which was fueled by the aforementioned research in the area of ombuds history. One of the notions that surfaced was that the ombudsing system/scheme, although studied in all of its complexity as a classical ombudsing system/scheme, had not been broken down into its fundamental components in order to effectively evaluate the evolution of the

⁵ The arts, in my experience, access and work with many layers of the human condition in the creative process, with process being primary, and production secondary. Woven into the creative process are expressions of spirit, soul, mind, body, emotions, analytic, creative, time, space, energy, the Jungian "shadow", metaphor, myth, dream, collective unconscious, conflict/conflict resolution, "mind's eye" manifestation, "aluna" realm, etc. The spiritual component is influenced by indigenous philosophies that

modern ombuds concept. The early ombuds pioneers focused on studying the earliest form of the modern ombuds system/scheme termed the ‘classical’ system/scheme (Swedish, Danish, New Zealand models). In the late sixties and early seventies the ombuds concept underwent a radical diversification process as the concept spread across the globe and began to be adopted outside of government settings. Ombuds scholars were not able to keep up with the flow of information available for analysis associated with the ombudsing systems/schemes utilized in other sectors of society. Consequently, a keen understanding of how the concept disseminated, in addition to exploring the possibility of a *Parallel Socio-Cultural Evolution of Ombudsing Systems/Schemes* remains to be identified by ombuds scholars.

At that time in history, the classical ombudsing system/scheme received the major focus of study, and it needed to be studied in all of its complexity before the modern ombuds system/scheme could be broken down to its bare bones. At this place in history the focus of pioneering ombuds scholars was on seizing an understanding of "what" exactly an ombudsing system/scheme was, in all of its complexity. At this place in history, the author suggests loosening the strings of the corset just a tiny bit to make room for some new considerations.

II.C. the Basic Ombuds Model

Work associated with *The Parallel Socio-Cultural Evolution of Ombudsing Systems/Schemes* set the stage for the next step of the analysis-simplification of the ombudsing system/scheme by means of cultivating awareness of what the “quintessential” ombuds form consists of. Drawing from thought cultivated by the pre-history

differ from the western notion that social life begins with the “individual”. An indigenous view might be

meditation the author discovered that the complexity of the modern ombuds model could readily be broken down into extremely simple component. The components consist of three that can be held ‘ceteris paribus’⁶, and one, which is a ‘variable’. The four fundamental components, which make up the Basic Ombuds Model, consist of the following:

- 1) The complainant & “respondent” or source of complaint⁷
- 2) The complaint handler (and the potential of an associated “respondent”, or source of complaint)
- 3) A moral/spiritual tenet such as fair process/ethics/justice
- 4) An entity/organization/institution

These four components represent the bare bones or structure of an ombudsing system/scheme. They are not enough to seize a full understanding of what constitutes a fully operating ombudsing system/scheme, but they are just enough to convey the idea in the simplest of terms. Additional important considerations include the system’s association with a community, which exists within a specific region/city/state/country, and the systems association with the family of alternative

expressed a universe of connections, being a part of the web of life, not separate, and individual.

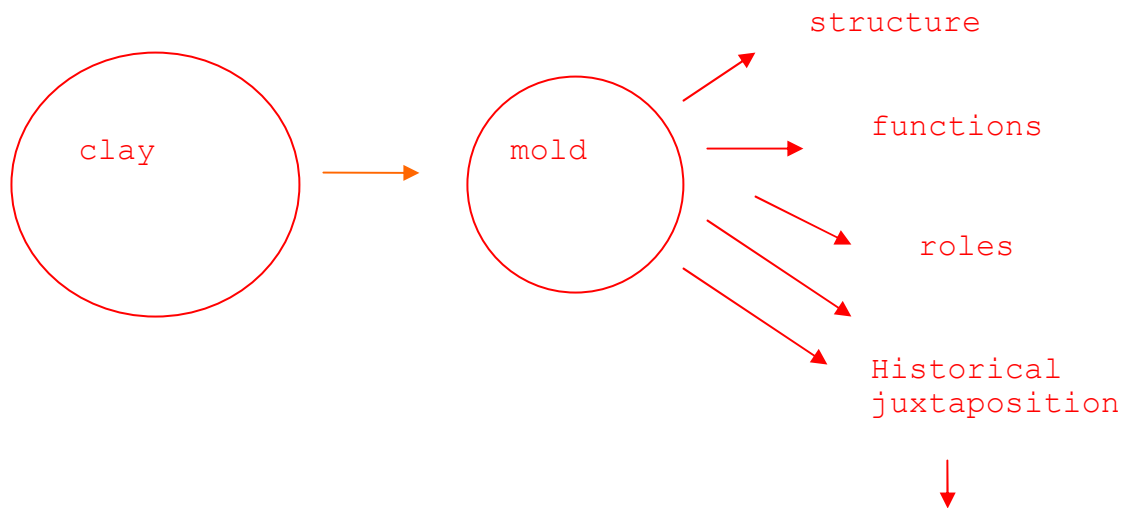
⁶ Ceteris Paribus is defined as “with all factors or things remaining the same” or “all other things being equal” (dictionary.com, 2003). That is to say, that the first three components are assumed the same across all ombuds systems/schemes.

dispute resolution. That is to say, the context in which an ombudsing system/scheme exists. In more complex analyses the context plays a role upon the expression of ombudsing systems/schemes.

II. D. The Clay of the Concept

The author likes to think of the clay of the ombuds system/scheme as an amalgamation of the first three components - the complaint handler, the complainant and the associated “respondent”, or source of complaint, and a moral/spiritual tenet (fair process/ethics/justice). The clay is a substance that is common to all ombuds systems hence a substance that can be held *ceteris paribus* when considering what happens to the clay when pressed against different institutional molds. The component that is variable (hence the mold) is that of the entity with its own system of organization, sets of rules, regulations, policies, and laws. For instance, when the clay is pressed into a government setting it molds into a government ombuds system/scheme (setting aside the terms ‘classical’, ‘executive’, ‘municipal’, ‘hybrid’, ‘public’, ‘specialty’, etc. for simplification purposes). When the clay is pressed into an institute of higher learning it sculpts into the form of a campus ombuds system/scheme and its associated theoretical specificity. When the clay is pressed into a prison setting it sculpts into a prison ombuds system with its theoretical specificity. When the clay is pressed into a corporation it sculpts into a corporate ombuds system/scheme, and so on.

⁷ Thank you Mary Rowe, Thank you Douglas Morgan



Characteristics indicative of different "types" of ombudsing systems/schemes which can further be classified into different categories

The classical ombudsman system/scheme that Hill uses as a mold for evaluating the copious "types" of ombuds, in its bare bones form, is the result of pressing the clay of the ombuds concept into a government mold, more specifically the legislative branch of the government mold which in turn results in the "independent" structural component. My question, at this phase of development of the theory was a question of which comes first; the cart, the horse, the chicken, or the egg? Do functional and structural characteristics make the ombuds/system scheme, or does the simple interaction of the fundamental components of the ombuds/system scheme give rise to the functional and structural features.

The author's question and foundation for further study becomes; can one expect the functional and structural considerations to be the same when the clay is pressed against different institutional molds? Are there factors other than functional and

structural characteristics to consider when evaluating ombudsing systems/schemes?

The author's educated guess is that the result would be different.

III. FEEDBACK

This concept was articulated from ombuds scholar and elder Stanley V. Anderson. Anderson, well respected within the field of ombuds scholarship, helped to build a foundational understanding of ombudsing. He is considered one of the pioneering ombuds scholars along with Stephan Hurwitz, Henry Abraham, Kenneth Culp Davis, Donald Rowat, Steven Anderman, Henry Abraham, Walter Gellhorn, Bernard Frank, and Larry Hill (to name a few).

III. A. Mentor Feedback

In an email correspondence Anderson provided the following feedback. I include the feedback in that my continuing education, and development as an ombuds scholars, is not occurring within a traditional academic setting (e.g., doctoral student, professor) but is occurring in the style of the Master Ombuds Scholars/Practitioners providing the mentorship/guidance necessary to create work that is somehow "academically" sound. In that Master Ombuds Scholars/Master Ombuds Practitioners are few and scattered across the globe, seeking the Master's out for feedback with regard to developing new theory/ideas becomes essential to the process. Stanley V. Anderson is a Master Ombuds scholar, and the author includes this opinion in that the evaluation seems trustworthy, indicating the idea worthy of further pursuit. Anderson's feedback is as follows:

"Sound, concise and incisive analysis. I think Larry Hill would find it congenial. The Early Gang was not locked in on the Legislative Ombudsman as an exclusive, except for Donald Rowat. I debated Don at the annual meeting of the USAO in Portland, Maine, eight or ten years ago. My fatal thrust was to point out that the original Ombudsman in Sweden, founded several centuries ago and still flourishing, was an Executive Ombudsman. The Legislative Ombudsman was initiated in Sweden in 1809. In Finland, it is still considered a promotion to be elevated from legislative ombudsmen to executive ombudsmen." (Anderson 2002).

III. B. Basic Ombuds Model Criticism

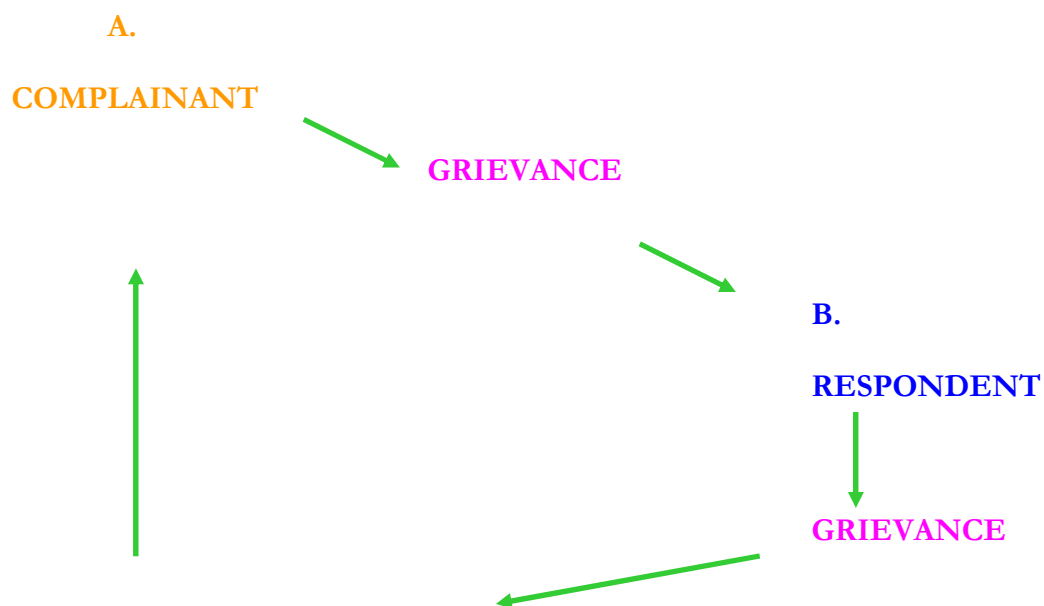
Question A. The Respondent/Source of the Problem

In preliminary conversations with colleagues about the Basic Ombuds Model a very important question emerged pertaining to where the ‘respondent’ (organizational ombuds terminology) or source of the problem fits in as a puzzle piece in the Basic Ombuds Model. Initially the Basic Ombuds Model did not include the ‘respondent’. By ‘respondent’ one refers to the flip side of the coin, the other party or parties representing the other perspective of the complaint.

The author’s response, initially, was that they go hand in hand (complainant/respondent) and the ‘respondent’ or ‘source of the problem’ surfaces when the ‘flesh’ is put upon the ‘bones’ of the *Basic Ombuds Model* through application of the *Set of Basic Ombudsing Principles/Considerations* (subject of the next section).

If there is a complainant (A) this carries with it the "story" and within the "story" is the apparent source of the problem, and/or respondent(s) (B). In stating that A is a part of The Basic Ombuds Model, one must acknowledge the potential for the

existence of B. For example, in a campus ombuds setting B most commonly enters the ombuds system/scheme when A initiates action via formulating a complaint that relates to B. In that the 'respondent' component of B does not actively surface (or exist) in every case, it is not truly able to be held 'ceteris paribus' hence is addressed within the more complex layering of ombudsing systems/schemes.



A. COMPLAINANT

Preliminary analysis, put forth for further consideration, suggests that B is a function of A's relationship/interaction with the organization/entity type, hence a variant produced by the 'clay' of the concept being pressed against the 'mold'.

For instance, when assessing how *The Basic Ombuds Model* differs from institution to institution one might consider how the 'problem sources' and/or 'respondents' differ. Press the clay into an academic setting and someone complains about a professor/grade. The source of the problem, and/or 'respondent' is a professor. Press the clay into a corporate setting. One does not encounter a professor, but encounters something different. Perhaps someone complains about a poor product design, with the source of the problem, or 'respondent' being the engineer who designed the product.

Once again, the potential existence of a respondent goes hand and hand with the complainant component, and surfaces in the more complex layering of ombuds systems/schemes. Specifically the "process", "complaint type", and "function" elements. These elements are a part of the "flesh" put on the "bones" of the *Basic Ombuds Model* and are elements of *The Set of Basic Ombudsing Principles/Considerations*, which is the subject of the next section. However, because the potential of a respondent or source of the complaint is such an important consideration, for the time being, the author has integrated the respondent into the complainant component of

The Basic Ombuds Model until further feedback is received from the greater ombuds community with regard to organizing the Basics in such a way.

Question B. What about impartiality, independence, confidentiality and other fundamental considerations?

Once again, for research purposes, these elements are not expressed in the bare bones of the ombuds model, but appear when the “flesh” is put upon the “bones” of The Basic Ombuds model and are expressed within the “Building Blocks of an Ombuds Practice” component of the Nuts & Bolts of Ombuds theory, a basic set of ombudsing principles/considerations. It is the author’s opinion that impartiality, independence, and confidentiality are items that support realization of the ethical/moral tenet of the ombudsing scheme. For instance, if an ombuds is not independent, the office runs the risk of being influenced by the office the ombuds answers to impeding realization of “fair/ethical/just processes”. Impartiality, the notion of not taking one side or the other, also supports an ombuds ability to advocate for “fair/ethical/just processes”.

A recent case study punctuates this notion. An ombuds, working in an academic setting, worked with a client on an extremely complex case that involved many different layers of consideration. The ombuds followed through with basic steps of an ombuds process, and assisted the client in a way that facilitated advocating for a fair process given both perspectives. The client was in a “power-down” situation. The recommendations made “ruffled the feathers” so to speak of the “power-up” who then worked his/her way up the food chain insisting the ombuds be fired. A complete case analysis, and dialog with a colleague revealed the ombuds had not done anything “wrong”, but indeed, had acted within the parameters expected of an ombuds.

The reality? In that the office was independent only in spirit, and not in a structural fashion, this case had a significant impact on the career of the ombuds due in part to political pressures. For the ombuds involved this constituted a serious “wake-up” call for ombuds working in academic institutions that are “independent” in spirit, but not structurally separate from the hand that feeds them. It takes great strength of character and moral fiber to put one’s career on the line for sake of furthering the work of an ombuds. The hardships imposed on the ombuds would have been avoided if the office had been truly independent. The ombuds was able to follow through with advocating for a fair process, but it was at a cost quite dear.

IV. THE NUTS & BOLTS OF OMBUDS THEORY: AN OUTLINE

The next step in the process of developing the Basic Ombuds Model was to identify the components of the ‘big picture’ and ‘little picture’ of ombudsing. That is to say, when pressing the clay of the ombuds concept into different institutional molds, what factors can and ought to be utilized as “measuring sticks” when considering the similarities/differences between the copious types of ombuds, and what sorts of factors put the “flesh” on the “bones” of the Basic Ombuds Model. In combing through existing literature it became evident that although a great deal had been written about ombudsing, existing bits and pieces of theory were scattered throughout the greater body of ombuds scholarship as singular expressions. In order to carry the use of the Basic Ombuds Model forward all of the bits and pieces defined by first generation ombuds scholars needed to be gathered into a basic set of ombudsing principles/considerations. A set that comprises the elements one considers when evaluating the effects of the clay of the ombuds concept being pressed into different

institutional forms. The author identified a pre-existing set of basic ombudsing principles/considerations, added the author's personal developing theory, and coined the collection "The Nuts & Bolts of Ombuds Theory" (Table One). The work-in-progress work was presented at the 2003 California Caucus of College and University Ombuds Annual Conference held at Asilomar Conference Grounds in Pacific Grove, California⁸ and will undoubtedly continue to develop with further feedback from the greater ombuds community.

TABLE ONE

The Nuts & Bolts of Ombuds Theory Subject Headings

- ❖ how to pronounce the word
- ❖ a basic definition of ombudsing, etymology, and history of the word
- ❖ ombuds history
- ❖ "types" and "categories" of ombuds
- ❖ primary, secondary, tertiary functions of ombudsing (new theory)
- ❖ roles of the ombuds
- ❖ the building blocks of an ombuds practice (essential characteristics and standards of practice),
- ❖ the "power" of the ombuds,
- ❖ the "process" of the ombuds (new theory)
- ❖ the structural components of ombudsing
- ❖ policies, procedures, rules, and guidelines
- ❖ "types" of complaints received
- ❖ how the ombuds is selected (precedent set by the Swedish model utilized by some scholars to evaluate ombudsing systems/schemes)
- ❖ resources and size of office
- ❖ annual reports, case studies, and other tools
- ❖ protecting confidentiality, ombudsman privilege, model shield laws
- ❖ concepts from alternative dispute resolution: listening skills, "getting to yes",
- ❖ continuing education: mediation training, restorative justice training, ombuds conferences, ombudsman readings & resources, liter, professional

⁸ This information comprises is my "first pass" with regard to gathering the scattered bits of theory into a singular set. I consider the following set a "first pass" in that the field is continuing to grow, expand, and define itself, and it is my sense that this set of considerations will undoubtedly expand and contract with further study. Additionally, as the information disseminates to ombuds scholars and ombuds practitioners, and feedback is provided, the set as well as the Model itself could potentially be modified with receipt of additional and/or clarifying information.

The Nuts & Bolts of Ombuds Theory is presented as a basic theory training manual shaped for use by new academic ombuds. In that the author was well-aware of how difficult it was for new ombuds to find the time for reading, the author has presented the work in small reading modules to facilitate the learning process. When, and if, the new ombuds finds a bit of down-time in the practice he/she can readily access information from his/her computer at work. The sections are not too long, and are created in the spirit of “Ombudsing for Dummies”. It is the author’s hope that the materials can be developed to meet the needs of new ombuds working in all ombudsing sectors.

IV. QUESTIONS WITHOUT ANSWERS: FURTHER RESEARCH CONSIDERATIONS

Following is a series of assessment questions that surfaced as a consequence of developing *The Basic Ombuds Model* and the *Set of Ombudsing Principles/Considerations* that, once answered, have the potential to foster a deeper understanding of ombudsing systems/schemes in their variegated forms. They are included in the work, in hopes of ombuds choosing a question or two for discussion in a professional conference setting, and as a form of planting seeds. Having the courage to ask unanswered questions represents a form of breaking ground and planting seed. A vital part of the creative process, hence important to present.

Questions

- 1) “What are the specific forces in various institutional settings (e.g., higher education, prison, corporate, etc.) that tend to cause ombuds to operate in predictably similar ways to other ombuds in those sectors and in predictably different ways from ombuds

in other sectors?” This question is posed by University of Colorado at Boulder ombuds Tom Sebok (Sebok, 2003).

2) What determines the “types” of complaints received?

The “type” of entity?

The community the entity serves?

The culture of the community served?

The policies, procedures, rules, and guidelines associated with the entity?

The policies, procedures, rules, and guidelines associated with the community served?

The jurisdiction defined by the ombudsing system/scheme?

Problematic areas within the entity or area ombuds handle complaints for?

Cultural changes?

The emotional, spiritual, mental, physical health of the complainant?

The individuality of the complainant: personality types, conflict management styles?

History, family of origin, etc.?

Power structures within the entity served?

Scarce resources within the entity served?

Information channels within the entity served?

3) What are the complainants’ perceptions of the functions/roles of the ombuds office (Sebok, 2003)? What is the reputation of the ombuds office (Sebok, 2003)?

4) What “types” of complaints are universal to all ombuds systems, what “types” of complaints are common within sectors, what “types” of complaints are specific to a single entity, if any?

5) What determines the “process” of the Ombuds? How does the educational/life/work experience influence an ombuds process? What are the similarities/differences in ombuds processes in similar institution types? What are the similarities/differences in ombuds process across sectors and within sectors? What type of education would enable ombuds to evaluate and refine respective processes?

6) What determines the “power” of the Ombuds? In different institutional settings, what different types of "power" are evident? What are the subtle variations in "power" amongst ombuds working for a particular type of institution, and what gives rise to these variations?

7) How does the cultural container in which the ombuds office exists affect the *Basic Ombuds Model* and *The Set of Ombudsing Principles/Considerations*?

8) Which entities, when, and where, were providing ombudsing services (exhibited characteristics of the Basic Ombuds Model) under a different title without knowledge of the existence of modern ombudsing systems/schemes? Did these entities develop essential characteristics similar to ombudsing systems/schemes apprised and knowledgeable about the modern ombuds system/scheme? Do the findings confirm *The Parallel Socio-Cultural Evolution of Ombudsing Systems/Schemes*?

9) In which sectors has the primary function of complaint handling expanded, and what are the contributing factors? What functional characteristics are common across all sectors? What are the secondary and tertiary functions of complaint

handling in different institutional settings? What are the subtle variations on this theme amongst ombuds working in similar institutional settings, and what gives rise to these subtle variations?

10) Ombudsmen, in carrying out the basic function of complaint handling may adopt different roles. What roles are manifest in different institutional settings? What are the subtle variations in roles amongst common types of institutions and what gives rise to these subtle variations? What factors cause an ombuds to play different roles?

11) What essential characteristics, standards of practice are manifest/practiced in different institution of ombudsing system/schemes?

12) What are the policies, procedures, rules and guidelines that are used in the complaint handler's process in different institutions, what are the subtle variations, and what gives rise to these variations?

13) How do the structural characteristics vary among different institutions? What are the subtle variations in "structural" characteristics in ombudsing/systems of the same institutional type and what gives rise to these variations?

V. CONCLUSION

Publication of this theory in its infancy form invokes an open invitation for respected and knowledgeable colleagues to offer the guidance necessary to further develop this work. In that the author utilizes a specific skill set when working, researching, and writing; wisdom indicates that feedback must be integrated into the theoretical development process in order for the

work to realize its fullest potential. To date, both Tom Sebok, Mary Rowe, and Stanley V. Anderson have provided invaluable feedback (thank you), but the author hopes to illicit additional feedback from the greater ombuds community. As previously expressed, The Basic Ombuds Model & The Nuts and Bolts of Ombuds Theory have been utilized in tandem to expand the boundaries of existing ombuds theory in the works *The Nuts & Bolts Application: An Academic Ombuds Office Study*, and *The Categorization Challenge of "52 Varieties"*. These works present a "trial run" of sorts.

It is the author's hope, that continued development of these nascent ideas will enable the greater ombuds community to realize a specific vision. A vision that holds a future realized by scholars, scholar/practitioners, practitioners, and curious students committing to conducting the research necessary to develop a unifying body of ombuds theory. A body of knowledge suited for teaching in the gamut of educational settings that results in eradicating one of the most frequently asked questions" "what is an ombuds?"

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